

REMARKS

Claims 1-7, 9, 11 and 12 are all the claims pending in the application. Claims 1-3 have been withdrawn from consideration as directed to a non-elected invention.

Restriction/Election

In section numbers II. 1-10, at pages 2-7 of the office action, the examiner repeated the restriction requirement and the election of species requirement issued by telephone, and acknowledged applicants' provisional election of Group II, claims 4-13, and the species of compound 96 in claim 11.

In Section II. 9 at pages 6-7 of the office action, the examiner defined a genus from the elected species.

In a telephonic interview on November 20, 2003 applicants and the examiner discussed broadening the genus to define R¹ to include a, b, c, o, u, v, and w, and m to equal an integer of 1 to 5. The claims have been amended to reflect this broader genus. (See Statement of Substance of Interview, filed herewith.)

Objections

(a) Claims 5 and 6 were objected to because they recite definitions in parenthesis.

The parenthesis have been removed.

(b) Claims 4-7, 9, 11 and 12 were objected to for containing non-elected subject matter. However, the examiner stated that if the claims are limited to the generic concept, they would appear to be allowable.

The claims have been amended to be of the scope discussed by telephone on November 20, 2003.

(c) Claims 1-3, 8, 10 and 13 were objected to as being drawn to a non-elected invention.

Claims 1-3 have been amended to recite a method of inhibiting IL-6 production. Further the prodrug recited in claims 1-3 has been limited to the scope recited in claims 4-6. The examiner is respectfully requested to add back method claims 1-3, when claims 4-6 are found allowable.

Claims 8, 10 and 13 have been cancelled.

Examiner Interview Summary Record

The examiner attached an Examiner Interview Summary Record wherein the examiner stated that the restriction and election requirement were discussed as described in the office action.

The undersigned confirms that the election of an invention and a species was as discussed in the office action. (See the Statement of Substance of Interview, filed herewith.)

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

Amendment Under 37 C.F.R. § 1.111
U.S. Serial No. 10/088,832

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

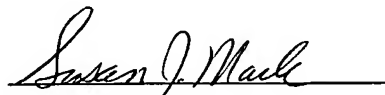
Respectfully submitted,

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Date: December 8, 2003